
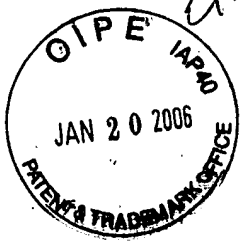


| | | |
|---|--|---|
| SUBSTITUTE FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY DOCKET NUMBER 15424.0001 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531,241 |
| INTERNATIONAL APPLICATION NO. PCT/AU03/01370 | INTERNATIONAL FILING DATE 16 October 2003 | PRIORITY DATE CLAIMED 17 October 2002 |
| TITLE OF INVENTION APPARATUS FOR USE IN VERMICULTURE | | |
| APPLICANT(S) FOR DO/EO/US Simon James TRATT and Graham Shaun ANKERS | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: International Search Report | | |

| | | | | | |
|--|--------------|---|----------------|---|-----------------|
| U.S. Application No. (if known, see 37 CFR 1.5) 10/531,241 | | INTERNATIONAL APPLICATION NO. PCT/AU03/01370 | | ATTORNEY'S DOCKET NUMBER 15424.0001 | |
| The following fees have been submitted: | | | | Applicant use | Office use only |
| | | | | | |
| 21. <input type="checkbox"/> Basic national fee \$300 | | | | \$ | |
| 22. <input type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200 | | | | \$ | |
| 23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500 | | | | \$ | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | - 20 = | | x \$ 60 | \$ | |
| Independent claims | - 3 = | | x \$200 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | |
| TOTAL ABOVE CALCULATIONS = | | | | \$ | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | + | \$ |
| TOTAL NATIONAL FEE = | | | | \$ | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | \$ |
| TOTAL FEES ENCLOSED = | | | | \$ | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 19-4293 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4293. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO 2038.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| USPTO CUSTOMER NO. 27890 | | | | | |
| STEPTOE & JOHNSON LLP Attn. USPTO Docket Administrator 1330 Connecticut Avenue, NW Washington, DC 20036 | | | | | |
| Tel. 202.429.3000 Fax 202.429.3902 | | | | | |
|  Signature Harold H. Fox Name 41,498 Registration No. | | | | | |



ATTY. DKT. 15424.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/531,241

Confirmation No. 7840

In re the Application of

Simon James TRATT et al

Filed: April 14, 2005

For: APPARATUS FOR USE IN VERMICULTURE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
AND REQUEST FOR CORRECTION OF CORRESPONDENCE ADDRESS**

Mail Stop PCT
Commissioner for Patents
Customer Window
U.S. Patent & Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Va, 22314

Sir:

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed October 31, 2005 to an erroneous correspondence address. Attached is a copy of the Notification mailed October 31, 2005, as well as a copy of the Request for Withdrawal as Attorney and Change of Correspondence Address filed January 17, 2006 by the erroneous addressee.

The executed Declaration required by the Notification of Missing Requirements was filed by the undersigned attorneys of record as a second submission under 35 U.S.C. 371 on June 21, 2005. Attached is a copy of Form PTO-1390, the executed Declaration and date-stamped postcard receipt dated June 21, 2005.

RECEIVED

Also filed under cover of Form PTO-1390 on June 21, 2005 were an International Search Report, Information Disclosure Statement and cited references, as indicated in the enclosed date-stamped postcard receipt.

In view of the foregoing, it is requested that a Notice of Acceptance be issued to the undersigned attorneys of record. No fee is believed to be due. Please apply any charges or credits to deposit account 19-4293.

Respectfully submitted,

STEPTOE & JOHNSON LLP



Harold H. Fox
Reg. No. 41,498

1330 Connecticut Ave., NW
Washington, DC 20036
Tel: 202-429-3000



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/531,241 | SIMON Tratt | 15424.0001 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/AU03/01370

23117

DOCKETED

NIXON & VANDERHYE, PC
 901 NORTH GLEBE ROAD, 11TH FLOOR
 ARLINGTON, VA 22203

PCT/ATTY # 020-363

MAIL DATE OCT. 31, 2005

DUE DATE DEC. 31, 2005

FINAL DEADLINE May 31, 2006

DOCKETED BY [Signature]

I.A. FILING DATE

10/16/2003

PRIORITY DATE

10/17/2002

CONFIRMATION NO. 7840

371 FORMALITIES LETTER



0000000017358950

Date Mailed: 10/31/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- o Indication of Small Entity Status
- o Copy of the International Application filed on 04/14/2005
- o Copy of the International Search Report filed on 04/14/2005
- o Copy of IPE Report filed on 04/14/2005
- o Preliminary Amendments filed on 04/14/2005
- o Small Entity Statement filed on 04/14/2005
- o Request for Immediate Examination filed on 04/14/2005
- o U.S. Basic National Fees filed on 04/14/2005

STEPTOE & JOHNSON LLP

JAN 17 2006

RECEIVED

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- o Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/531,241 | PCT/AU03/01370 | 15424.0001 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

Atty. Dkt. 15424.0001
Applicants: S. TRATT et al
Serial No. 10/531,241
Date: June 21, 2005

The Patent and Trademark Office date stamped hereon
is acknowledgment that the following items were
received by the PTO on the date stamped:

1. Transmittal Letter
2. Declaration/Power of Attorney
3. IDS w/PTO-1449 and refs. (4)
4. Int'l Search Report
5. Return receipt postcard



65